

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
SEATTLE DIVISION

CHARLES K.,

Civil No. 3:19-CV-05260-MAT

Plaintiff,

VS.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER

Based on the stipulation of the parties, it is ORDERED that the Commissioner's decision in regard to Plaintiff's application for disability insurance benefits under Title II of the Social Security Act be REMANDED to the Commissioner of Social Security for a new decision by an administrative law judge (ALJ). On remand, the ALJ will offer Plaintiff the opportunity for a de novo hearing, reassess Plaintiff's residual functional capacity, issue a new decision and, in doing so, reconcile any resulting inconsistencies with the determination issued under Plaintiff's subsequent application.

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This case is reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g). Upon proper presentation to this Court, Plaintiff will be entitled to reasonable attorney fees and expenses pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

DATED this 11th day of October, 2019.

Mary Alice Theiler
Mary Alice Theiler
United States Magistrate Judge

Presented by:

s/ Jacob Phillips
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